

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, James A. Sutphin, having been duly sworn state the following:

1. I am a police officer with the Toledo Police Department (TPD) and have been since 2012. Since September 2018, I have been assigned as a Task Force Officer (TFO) to the FBI's Safe Streets Task Force and am also attached to the Toledo Metro Drug Task Force. Prior to my current assignment, I was assigned to the Toledo Police Gang Task Force (TPDGTF). I have participated in investigations which led to the arrest and conviction of narcotics dealers and other violent criminals. As a TFO, I am authorized by law to investigate and make arrests for violations of federal law under both Title 18 and Title 21 of the United States Code.

2. This affidavit is in support of a criminal complaint against PERRY JAMES. My knowledge of this investigation is based upon my own personal observations, as well as the observations and investigation conducted by other members of the FBI, and Toledo Metro Drug Task Force (TMDTF).

3. Because this affidavit is being submitted for the limited purpose of supporting a Criminal Complaint, I have not included each and every fact known concerning this investigation. I have set forth only the facts I believe necessary to establish probable cause that JAMES has committed, a violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) – Distribution of a Controlled Substance.

4. In October 2022, FBI, and Toledo Metro Drug Task Force (TMDTF) began receiving information about the drug trafficking enterprise of PERRY JAMES. Herein referenced is a controlled purchase of fentanyl conducted with CS-1 as directed by the FBI Safe Streets Task Force, as well as the Toledo Metro Drug Task Force.

5. CS-1 has been cooperating with the FBI and Toledo Metro Drug Task Force since June 2021. CS-1 is cooperating with law enforcement for judicial leniency on a number of matters. CS-1 has a criminal history that includes arrests for fleeing and eluding, obstructing official business, resisting arrest, receiving stolen property, theft, drug possession, passing bad checks, robbery, and felonious assault.

6. On November 28, 2022, investigators met with CS-1 to purchase fentanyl from JAMES on telephone number 419-343-0083. Upon meeting with your affiant, CS-1 placed a recorded telephone call to JAMES in which JAMES answered. JAMES advised CS-1 that he was on his way to the east side (of Toledo) and would be there in approximately 15 minutes. JAMES advised the source to go to “the tracks.” Your affiant is aware that JAMES is referring to the railroad tracks on Greenwood Ave., near Spring Grove. Surveillance positioned at 2152 Dundee St., Toledo, Ohio 43609 identified a maroon sedan, as well as white sedan, but did not observe the maroon Ford Explorer utilized by JAMES during previous controlled buys. CS-1 was searched for contraband in which none was found, provided controlled funds, as well as a recorder/transmitter. CS-1 is then surveilled to the meet location as determined by JAMES. Upon arriving at the location, CS-1 received a call from JAMES in which CS-1 was directed to an apartment building on Howland Ave. Shortly thereafter, CS-1 and JAMES could be heard over the transmitter meeting for the sale of fentanyl. Immediately following the drug transaction CS-1 was observed leaving the location. Surveillance identified the maroon Ford Explorer commonly utilized by JAMES, parked directly behind 508 Howland Ave in the backyard. Upon returning to investigators, CS-1 provided a substance that field-tested positive for the presence of fentanyl. CS-1 also advised that it appeared that JAMES was going to carry grocery bags into the location.

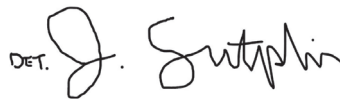
7. On December 8, 2022, the Toledo Police Forensic Laboratory analyzed the drugs purchased from JAMES on November 28, 2022. The substance was found to test positive for a mixture containing fentanyl.

8. According to an NCIC search of JAMES'S criminal history, JAMES has the following convictions in Lucas County, Ohio, and previous convictions in the United States District Court, Northern District of Ohio:

- March 28, 2007, Aggravated Robbery with Firearm Spec (F1), Robbery (F2), Case No. 4801-200701654, Nollie;
- November 15, 2007, Trafficking and Drugs x 3 (F), Case No.05CR594, Convicted, sentenced to 1 year and 5 months;
- November 18, 2011, FBI, Felon in Possession of a Firearm, Convicted, sentenced to 40 months;
- June 9, 2017, DEA, Possession with Intent to Distribute a Controlled Substance, Convicted, Sentenced to 51 months;

9. Based on the above facts and circumstances, it is the belief of your affiant that there is probable cause to believe that JAMES, has committed violations of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A) – Distribution of a Controlled Substance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "DET. J. Sutphin". The signature is written in a cursive, flowing style.

---

TFO James A. Sutphin, FBI

Sworn to before me and subscribed in my presence,  
This 16th day of March, 2023.

A handwritten signature in black ink, appearing to read 'Darrell A. Clay', positioned above a horizontal line.

---

DARRELL A. CLAY  
UNITED STATES MAGISTRATE JUDGE